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Fifty-second session
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Agenda item 112

HUMAN RIGHTS QUESTIONS

Letter dated 19 November 1997 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General

I have the honour to inform you that on 11 November 1997 the Parliament of Georgia gave its final approval to the abolition of capital punishment in the country.

The draft law on the abolition of capital punishment was submitted to the Parliament for consideration by the President of Georgia, Mr. Eduard Shevardnadze, and was followed by painstaking discussions of legislators who have carried out a difficult and responsible work that consequently led to the final decision.

In 1995, at the initiative of the President of Georgia, death penalties were suspended. In July of 1997, 54 prisoners, sentenced to death, received Presidential clemency, commuting their sentence to 20 years of imprisonment (A/52/262).

The Georgian Parliament seriously considered the draft law on the abolition of capital punishment and approved it almost unanimously, being confident that the decision would be the major step forward in establishing democratic, just and humane norms in our country.

May I ask your kind assistance in having the present letter circulated as a document of the General Assembly under agenda item 112, "Human rights questions".

(Signed) Peter CHKHEIDZE
Ambassador
Permanent Representative

97-33460 (E) 241197

UNITED
NATIONS

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General Assembly

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24 November 1997

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THIRD COMMITTEE
Agenda item 112 (c)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

Letter dated 20 November 1997 from the Permanent Representative of the Sudan to the United Nations addressed to the Secretary-General

I have the honour to attach herewith the official response of the Government of the Republic of the Sudan to the interim report of Mr. Gáspár Bíró, Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Sudan, presented to the General Assembly at its fifty-second session under agenda item 112 (c).

I request that the response of the Government of the Sudan be issued as an official document of the fifty-second session of the General Assembly under agenda item 112 (c).

(Signed) Elfatih ERWA
Permanent Representative

97-33887 (E) 011297 041297

/...

ANNEX

Response of the Government of the Sudan to the interim report of Mr. Gáspár Bíró, Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Sudan*

INTRODUCTION

1. To keep the international community well informed about the situation of human rights in the Sudan, the Government of the Sudan has maintained a time-consuming practice of responding in detail to each of the four reports submitted by the Special Rapporteur to the Commission on Human Rights since 1993 (E/CN.4/1994/48; E/CN.4/1995/58, E/CN.4/1996/62 and E/CN.4/1997/126), and to each of the four interim reports submitted by the Special Rapporteur to the UN General Assembly (A/48/601; A/49/539; A/50/569 and A/51/490). Therefore, our current response to the interim report contained in document A/52/510 of 21 October 1997 should be read in the light of the previous responses.

The Government is maintaining close cooperation with the Special Rapporteur as promised:-

2. We would like to recall at the outset that the Government of the Sudan, during the 53rd session of the Commission on Human Rights in 1997, has renewed its cooperation with the Special Rapporteur, Mr. Gaspar Biro, by promising to invite him to visit the country whenever he requests to do so. Eventually, the Government honoured its promise and invited him to visit the country upon his request for the second time in the same year, between 2 and 10 September 1997.

Conclusion not warranted by Facts:-

3. The main conclusion of his current interim report , which was prepared after the visit, is to the effect that the situation of human rights in the Sudan has not improved and it has deteriorated in some fields.

4. Unfortunately, that main conclusion is not warranted by the facts on the ground, some of which were noted by the Special Rapporteur himself.

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* A/52/510, annex.

5. In this connection, particular reference is made to the fact that most, if not all, allegations of human rights violations in the Sudan have occurred within the context of the armed conflict in the South. As a result, the current Government has started its untold efforts to solve the conflict peacefully soon after it has assumed power in 1989. Those efforts were successfully concluded by the signature of the Sudan Peace Agreement on 21 April 1997 with all rebel factions except the John Garang faction, and the Agreement was given immediate effect by the Constitutional Decree No 14. All controversial issues were resolved in the Agreement to the satisfaction of all parties, and these issues include the following:

(a) Granting the right to self-determination to citizens of the Southern states to be exercised before the end of the four years interim period in a free and fair referendum to be supervised by international observers.

(b) Freedom of religion, belief, worship rites, missionary and preaching activities are guaranteed to all to the extent that no citizen shall be coerced to embrace any religion, and no legislation that would adversely affect the religions or beliefs of any citizen shall be promulgated.

(c) The Sudan is recognized as a multiracial, multi-ethnic, multicultural and multireligious society and, therefore, citizenship was made the basis of rights and duties. This aspect was well received by the Special Rapporteur in paragraph 54 of his interim report: "The Special Rapporteur is of the opinion that from a legal perspective the regulation of the institution of citizenship in accordance with principles laid down in the April 1997 Khartoum Agreement and contained in constitutional decree No. 14/1997 is of crucial importance, inter alia, in giving effect to the provision of Commission on Human Rights resolution 1997/59, in which the Commission called upon the Government of the Sudan to comply with applicable international human rights instruments and to bring its national legislation into accordance with those instruments to which the Sudan was a party, and to ensure that all individuals in its territory and subject to its

jurisdiction, including members of all religious and ethnic groups, enjoyed fully the rights recognized in those instruments."

(d) Shariah and custom have been made sources of legislation and that laws based on general principles common to the states shall apply at the national level, provided that the states shall have the right to enact any complementary legislation to federal legislation on matters that are peculiar to them.

(e) Some provisions of the Agreement were dedicated to the fundamental rights and freedoms and their constitutional guarantees and that a complete bill of rights and freedoms shall be enshrined in the Constitution.

(f) Principles relating to the independence of the judiciary are also developed in the Agreement.

(g) Participatory democracy is guaranteed.

(h) A fair share of wealth and power with special allowance for the south has been provided for.

6. The conclusion of the Special Rapporteur in this connection in the interim report is to the effect that "the provisions of the 21 April 1997 Khartoum Agreement on fundamental human rights and freedoms are in accordance with international standards on human rights".

7. The Office of Press and Cultural Affairs of the American Embassy in Khartoum has commented on that occasion in a news release dated April 30, 1997 as follows: "We believe that the ideas in both the Peace Agreement and the IGAD Declaration of Principles form a solid basis on which to draw this tragic conflict to peaceful conclusion".

8. Eventually, the Government has accepted the Declaration of Principles formulated by the IGAD in 1994 as basis for negotiations. This initiative was welcomed by the summit of the IGAD Heads of State and Governments held in Nairobi on 8th and 9th July, 1997.

9. Moreover, the constitutional developments in the Sudan which have started with the dissolution of the Revolutionary Command Council and the appointment of the Transitional National Assembly and which were completed by the free and fair presidential and parliamentary elections in 1996, have been reinforced by the appointment on July 1997 of a National Commission to prepare a constitution for the country. However, it seems that the landmark elections of 1996 have been disregarded for obvious political considerations. Therefore, we feel it is pertinent to recall that the London - based Sudan Foundation which is an independent and non-aligned organization has called on the world to accept the reality of democracy in Sudan in its 12 Sept. 1997 news release giving details as in the following paragraphs.

10. The Foundation notes that in the Presidential Election of March 1996:
   (a) Five and a half million Sudanese, male and female, voted;
   (b) 41 candidates stood for the Presidency;
   (c) On a 72 per cent voter turnout, the presidential winner, Omer Al-Bashir, secured 75.7 per cent of the votes cast (4,181,784 in total).
   (d) President Al-Bashir received more votes in the March 1996 election than the sum of all the votes cast in the 1986 Parliamentary Election.

11. Of the Parliamentary Election of the same month, the Foundation notes:
   (a) 125 Parliamentary seats were reserved for women, youth and social groups, and were filled by a special Electoral College;
   (b) There were 275 seats elected by geographical constituencies;
   (c) 60 candidates were unopposed;
   (d) 10 seats were uncontested for reasons beyond the Government's control;
   (e) The remaining 205 open seats were contested by 990 candidates
   (f) 79 seats went to the representatives from the South of the country;

(g) Both the Deputy Speaker and the Leader of Parliament are Southerners; 22 seats went to women.

12. The Foundation noted that many international observers observed the Elections.

13. Also it has noted that Lord McNair, a Liberal Democrat Member of the House of Lords, also observed the Elections. In his own Report, he concluded that: "as far as I could see the election was free and fair... Voting appeared to be brisk in several of the polling stations I visited. I saw no evidence of voter intimidation and the atmosphere appeared to be very relaxed".

14. According to Sean Gabb, Director of the Sudan Foundation: "The fact is that these Elections have returned a Government with the most democratic credentials in Sudanese history. No previous Government could boast an elected Parliament, a directly elected President, and elected State Governors and elected State Assemblies. Sudan has come a long way since the 1989 revolution".

15. Yet in spite of this impressive record, Sudan, according to the Foundation, is regularly denounced in the Western media as a dictatorship.

16. Sean Gabb was also quoted by the Foundation as saying "Of course, there is need for concern at the international level over human rights. Of course, such concern, voiced over many years, has been of inestimable value. But just as the existence of money attracts forgery, so talk of human rights attracts hypocrisy. In particular, it has been too often used in recent years by the great powers to advance their own regional interests. We need a single, objective standard of democracy and human rights, and we need to apply it throughout the world.

By such a standard, Sudan would emerge as a country with many of the problems associated with third world countries – but also as a country struggling to achieve high standards of democracy and respect for human rights".

17. In addition to addressing the root causes of human rights violations by solving the conflict peacefully and embarking on a massive constitutional development and transition to democracy as explained above, the Government has taken serious practical measures to improve the situation of human rights in the Sudan. However, to avoid any controversy in this connection, we will confine our references to the measures recognized by the Special Rapporteur in his interim report which were as follows:

(a) The Special Committee on Allegations of Enforced or Involuntary Disappearances and Reported Cases of Slavery which was created by the Government as called for by previous resolutions on the situation of human rights in the Sudan, has carried out two fact-finding missions and submitted two of its reports to the Special Rapporteur before the completion of his interim report as noted in paragraph 24 thereof. The findings and conclusions in the two reports have refuted allegations of slavery and disappearance as detailed in paragraphs 26 and 31 of the interim report.

Regarding allegations of slavery and all related practices, we have annexed to our last response contained in document (E/CN.4/1997/126) dated 4 April 1997 an open letter to Baroness Cox from Mr. David Hoile of Sudan Foundation. To complete the picture we annex herewith a document entitled "An Exchange of Correspondence between the Sudan Foundation and Caroline, Baroness Cox, Regarding David Hoile's – Open letter to Baroness Cox – April 1997". The exchange shows how Baroness Cox has refused to engage in an open debate with Sudan Foundation on the matter of alleged slavery in Sudan despite the fact that Baroness Cox is responsible for raising this unfounded allegation. We have no stronger words in this connection than the words of Sudan Foundation to Baroness Cox: "On considering often exactly the same evidence, the Sudan Foundation and Christian Solidarity International have reached exactly opposite conclusions. One of us must be mistaken. Both

of us must join in discussion. One of us must be brought to admit that they are wrong." And we believe that every person shall have the right to conclude that Cox is wrong unless she proves through an open debate with Sudan Foundation that she is not.

(b) To respond more effectively to the concerns expressed in previous reports of the Special Rapporteur and in resolutions adopted by the UN General Assembly and the Commission on Human Rights, the Government has, as of April 1997, established several subcommittees to deal with the different categories of allegations of human rights violations in the Sudan. Commenting on these practical measures in paragraph 53 of the interim report, the Special Rapporteur is of the view that "this development should be considered by the international community as a positive step by the Government of the Sudan in addressing the situation of human rights in the country". And as for the category of detainees under the National Security Act, we refer to the fact that 71 of them have already been released during 13-18 May 1997. Moreover, the serious accusations against the remaining detainees (20) which include plotting for sabotage and terrorist activities are currently under proper investigations and 13 of them have already been put to trial as of the first week of Nov. 1997 by ordinary courts of justice.

(c) Regarding the issue of street children, the Special Rapporteur has reported in paragraph 66 positive developments noting that "it is especially encouraging that UNICEF is becoming more and more involved in common projects and field work with specialized departments of the Ministry of Social Planning, together with national and international non-governmental organizations. The Special Rapporteur believes that the international community should welcome these developments."

(d) In paragraph 71 the Special Rapporteur has recognized the efforts made by various government organs, especially the efforts of the Advisory Council for Human

Rights, to improve the communication between the Government of the Sudan and the office of the United Nations High Commissioner for Human Rights. And he has recommended in the same paragraph that the international community should support such measures.

(e) In his presentation of the interim report, the Special Rapporteur has also recognized as a positive note the change in the attitude of the Government of the Sudan regarding reports and information on certain categories of violations of human rights.

18. We have gone through such detailed substantiation of the recent positive developments in the field of human rights in the Sudan, not to conclude that all the concerns expressed by the Special Rapporteur should be disregarded, but only to say that the conclusion that the situation of human rights has not improved is not an accurate reflection of the facts. As for the other areas the subject of concern of the Special Rapporteur we would like to confirm that my Government is serious and has the political will to address such concerns as soon as they are accurately defined by the Special Rapporteur, since the sweeping general references to previous reports and resolutions do not help much in identifying issues of concern. And as it has been noted by the Special Rapporteur, the Advisory Council for Human Rights has established standing subcommittees for this purpose.

19. Another serious issue which has occupied a sizable part of the statement of the Special Rapporteur when presenting his interim report is the reference that he has for several years received reports on the abduction of children from Northern Uganda by Lord's Resistance Army (LRA) which is operating from areas located on both sides of the Sudan-Uganda border and that the reports were corroborated with UNICEF data. And as a result, the Special Rapporteur has called upon the Government of the Sudan to make unilateral efforts to bring to an end these abhorrent practices. In the light of the above, and since the Special Rapporteur seems to be unaware of the official position of the government of the Sudan on the subject

contained in a recent press release dated 25 September 1997, we are left with no other option but to reiterate that position which is as follows:

(a) The Government of the Sudan reiterates its consistent position of deploring violence, torture, abduction and any other inhumane treatments targeting children, and condemns in the strongest possible terms such cruel acts, whether they are perpetuated by the LRA or by any other party.

(b) On 21 March 1997, a high official of the United Nations communicated to the Government of the Sudan what was labeled as a "Confidential Communication". A list containing a number of names of girls was provided. The government of the Sudan was informed that these were Ugandan girls kidnapped by the LRA from a St. Mary's College in Uganda on 10 October 1996 and that they might be in the Sudan. The UN official stated that the information of the existence of these girls in the Sudan was not verified and the assistance of the Government of the Sudan was solicited in the matter for what was called "Humanitarian Reasons". In this connection, the Government of the Sudan has gone beyond the norms in responding to the humanitarian call. It has arranged for the Ugandan authorities, some European mediators and representatives of the nuns from St. Mary's College to visit all the areas under the control of the Government in Southern Sudan. The different delegations inspected all the areas where there is concentration of Ugandan refugees. The Government of the Sudan arranged for these delegations to talk and meet with the Heads of these Ugandan refugee camps. The aim of all these efforts was to collect any available information about the abducted girls.

(c) The Sudanese and Ugandan Presidents have met and discussed this matter. They both expressed their concern about the Ugandan girls and declared their commitment to exert all possible efforts to finding and saving them.

(d) The Sudanese rebels assisted by foreign troops control the areas adjacent to the Ugandan Northern borders and the nearest Sudan Government Forces inside the Sudanese territories in Southern Sudan is located at a distance of 100 kilometers from the Ugandan borders. The obvious conclusion is that the Government of the Sudan is not even in a position logistically to assist or support the LRA. However, even if it were, it would not do so, since the Sudan would never interfere in the internal affairs of other sovereign states, particularly neighbouring countries.

(e) The concern of the Sudan about the suffering of children affected by armed conflicts dates back to 1992. It became clear to the Sudan Government and the international community at the time that the rebel movement was abducting children from the various Sudanese villages to train them as soldiers, and use them as human shield or to keep them as ornaments to be used to obtain assistance and to gain the sympathy of the donors. The Sudan Government responded to this by presenting a draft resolution to the United Nations General Assembly to condemn these actions and requested the Secretary-General to present a report on the matter. This resolution was adopted by consensus and has been presented annually since then. And it would have been more appropriate for the Special Rapporteur to raise this issue, rather than bringing an issue which has no connection with the Government of the Sudan and which the Government of the Sudan has already exerted utmost efforts to help the international community in resolving it.

20. The most recent substantiation that the situation of human rights in the Sudan is continuously improving is what has been noted by the Special Rapporteur on Religions Intolerance in his statement before the United Nations General Assembly Third Committee to the effect that the Government of the Sudan is among the few governments which have responded promptly to

his questions and that the cooperation extended to him by the Government of the Sudan deserves appreciation.

21. Human rights violations do occur in the Sudan as in other parts of the world, therefore, what really makes the difference is the Government response to such violations. To give just one recent example of the prompt and effective measures taken by the Government of the Sudan whenever a violation has been committed, we refer to a recent case where six police officers were suspected of having tortured an accused person to death. In that case the procedural immunity of the six police officers was immediately lifted, and a proper investigation of the torture accusation was conducted. As a result the six officers were put to trial. On 18 of October, 1997 the criminal court of first instance found them guilty of torturing the accused person to death, and the death penalty has been passed against each of them.

22. The protection of human rights and fundamental freedom in the Sudan goes far beyond addressing allegations of human rights violations. A recent case in point is the administrative decision of the Press and Printed Materials Council whereby the license of the daily newspaper AL RAY AL AKHAR has been withdrawn as a result of a certain publication which is considered as threatening the national security. The owners of the newspaper appealed the decision to the court as being unfounded, and the court has accepted their argument and canceled the decision of the Council, and the newspaper is currently functioning on daily basis.

Conclusions:

23. In light of the above, we firmly believe that we are in a position to question the main conclusion of the Special Rapporteur in his interim report, that the situation of human rights in the Sudan has not improved. And we submit that the proper conclusion is to call for technical assistance to my country in order to enhance the improvements and keep their current momentum, since the scarce human, financial and technical resources are the major handicap confronting the Government. In fact, the

need for assistance has been recognized by the Commission on Human Rights since 1991 when the situation of human rights in the Sudan was seized under the confidential procedures of the Commission. Nevertheless, no assistance has been granted despite the repeated requests made by my country, and despite the call made by the Special Rapporteur himself in his report to the UN General Assembly last year and to the Commission on Human Rights in 1997 to give priority support to the practical measures undertaken by the Government of the Sudan to investigate alleged human rights violations and to improve the flow of information. Not only that, but by the resolution adopted on the situation of human rights in the Sudan by the Commission on Human Rights in 1997, the Commission has encouraged the Center for Human Rights to take into consideration requests for assistance by the Government of the Sudan. However, it is really amazing that despite all of that the requests for technical assistance submitted by the Government of the Sudan since 1991 have never been responded to positively or negatively up to date.

Recommendations:

24. We strongly recommended that ensuring prompt exchange and verification of information or reports and monitoring the situation of human rights in the conflict zones in the Sudan need an urgent positive response to the requests for technical assistance submitted by the Government of the Sudan to the Center for Human Rights, and updated recently to the attention of Her Excellency, the High Commissioner for Human Rights, since such assistance would strengthen the capacities of the different Government institutions.

25. We strongly object to the establishment of periodic direct contacts in Khartoum between representatives of the office of the High Commissioner and the Government, and the placement of human rights field offices for the conflict zones as recommended by the Special Rapporteur in his interim report, since such measures could not substitute capacity building which is a basic prerequisite and could not be attained without technical assistance.

26. We recommend that the United Nations General Assembly and the Commission on Human Rights discontinue the consideration of the situation of human rights in the Sudan, since the improvements explained above does not merit such consideration.

See the attached: "An Exchange of Correspondence between the Sudan Foundation and Caroline, Baroness Cox, Regarding David Hoile's – Open letter to Baroness Cox, April 1997." These correspondences show how Cox has declined to engage in an open debate with Sudan Foundation on the matter of slavery and related practices, despite the fact that she is the person who has initiated these allegations of slavery against the Sudan. We believe that it is most appropriate for her to admit that she is mistaken and the allegations are unfounded rather than avoiding moral responsibility in this embarrassing manner.

APPENDIX

Debate File Number 2

An Exchange of Correspondence between the Sudan Foundation and Caroline, Baroness Cox, Regarding David Hoile's "*Open letter to Baroness Cox*", April 1997

Second Edition, Revised and Expanded with Additional Correspondence

Edited with an Introduction
by
Sean Gabb

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All opinions expressed herein are those of the author, and not necessarily those of the Sudan Foundation.

Introduction

The letters published below need little introduction. They arise from the publication of David Hoile's Open Letter to Baroness Cox in March 1997. In this Open Letter, Mr Hoile doubts the accuracy of the evidence supplied by Baroness Cox and Christian Solidarity International for the existence of slavery in Sudan.

A copy of the Open Letter was sent to Baroness Cox, together with a covering letter (Text A) that was nothing if not respectful. This was answered by a short letter from Baroness Cox (Text B) which adopts a tone that is to be regretted from a Peer of the Realm who is also a Deputy Speaker of the House of Lords. In this letter, she refuses to be drawn into any debate, and even appears to threaten legal action. This in turn was answered by another letter from the Sudan Foundation (Text C) that

expresses our regrets, but repeats our first invitation to debate. A week after this, there came another letter from Baroness Cox (Text D). The tone of this is far more reasonable, and perhaps a little more friendly. It came with a copy of the latest report on Sudan published by Christian Solidarity International. But the refusal to debate is repeated; and this letter must be taken a a closure of our correspondence for the moment.

For the avoidance of all doubt, we repeat our personal regard for Baroness Cox, and our belief in her own absolute integrity. However, we must observe that the blank refusal to debate expressed in both her letters does no service to her, to Christian Solidarity International, or to the cause of truth.

If Mr Hoile's report had been a short piece, published as a leaflet with limited circulation, one might have understood her disinclination to take time from what she plainly believes to be work of the greatest importance to humanity. But the report was not of this nature. It is a long and scholarly critique that casts severe doubt on the objective value of this work. Moreover, it was published as widely as possible - which, with the technology at our disposal, was very widely indeed.

Printed copies were sent to more than 200 Members of Parliament. Several hundred more copies were distributed to members of the British media. About a thousand more were distributed to business and community leaders, and to academics. We are still sending copies out to recipients in the United Kingdom and in other countries; and another printing of several thousand copies is currently planned. This new edition may contain a selection from the extensive correspondence that the first edition generated.

And this is only the distribution of the hard copies. Perhaps tens of thousands of copies have been, and are being, distributed in electronic form via the Internet. It is available on the Sudan Foundation Web Page at *http://www.sufo.demon.co.uk*. It is available on many other Web Pages throughout the world.

By whatever means distributed, it has received favourable coverage on television and in newspapers as far apart as Canada and Pakistan. It has been translated into Arabic and Urdu and Italian. The doubts cast on the value of the work being done by Baroness Cox and Christian Solidarity International are influencing the media treatment of that work.

We suggest that, in the light of such wide distribution, not to reply is a grave strategic error on the part of Baroness Cox and of Christian Solidarity International. On the one hand, this is to the benefit of the Sudan Foundation. An opponent less fair than we are trying to be would draw some very unfavourable inferences from this refusal to enter into debate. It might be alleged that this refusal is the result of embarrassment - of a knowledge that there is no reply to be made to Mr Hoile's report.

But we do not wish to make any such allegation. We have a high regard for the personal integrity of Baroness Cox, only doubting her judgement in her reading of Sudanese affairs. We do not wish to win an easy *debating* victory. We want to see a victory for the truth. Therefore, we call on Baroness Cox to think again about her manner of dealing with the Sudan Foundation. The only winner of an open debate on the matter of alleged slavery in Sudan can be the truth. On considering often exactly the same evidence, the Sudan Foundation and Christian Solidarity International have reached exactly opposite conclusions. One of us *must* be mistaken. Both of us must join in discussion. One of us must be brought to admit that they are wrong. There is no shame in having made an honest mistake. Indeed, the free admission of past error is one of the most admirable qualities of the human intellect.

The Sudan Foundation is able and willing to enter into open debate, and wishes to state its readiness to stand by the truth wherever it may be found to lie. As a contribution to this process, we are publishing this correspondence in our Debates File, and much other correpondence besides in other numbers of this series. We invite our readers to make up their own minds, after a full and balanced consideration of all the available evidence.

Sean Gabb
Director
The Sudan Foundation
London
25th April 1997

Note on the Texts

The following letters are exact reproductions of the correspondence that has so far passed between the Sudan Foundation and Christian Solidarity International. All we have omitted are telephone and fax numbers that we suspect give access to Baroness Cox at her London flat. We regard these numbers as confidential, and are committed to respecting that confidence. All else in her letters, however, is reproduced. That is not confidential. It was written on House of Lords notepaper by a Deputy Speaker of the House of Lords, and appears to have been sent through the Post Office at the public expense. Certainly, it deals with matters of high public importance. We therefore regard the main text of her letters as in the public domain.

Text A: Letter from the Sudan Foundation to Caroline, The Baroness Cox.

19th March 1997

Caroline, The Baroness Cox
House of Lords
London SW1A 0AA

My Lady,

Last 13th December, I sent you a copy of our report, Anglo- Sudanese Relations: An Open Letter to Malcolm Rifkind, MP, QC, Her Majesty's Secretary of State for Foreign and Commonwealth Affairs. I now take the liberty to send you two more of our recent reports. These are:

> Sudan, Propaganda and Distortion: Allegations of Slavery and Slavery-Related Practices - An Open Letter to Baroness Cox and Christian Solidarity International, March 1997;
>
> *Sudan and Regional Concerns: Difficult Neighbours and an Aggressive Superpower*, February 1997;

For your convenience, I also enclose executive summaries of these reports.

The first of these reports is in the form of an open letter to you. It is based on solid research, and I strongly commend its findings to your attention. I have no time for those opponents who cast doubt your integrity and your commitment to the cause of peace and justice in Sudan. I know enough of your record in other matters to hold you in very high regard. I am concerned, however, at the differences in our conclusions with regard to Sudanese matters.

I hardly need say that if you have any questions arising from either of the enclosed reports - or, indeed, if you feel that you have anything to add or make in reply to them - I shall be honoured to

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consider myself at your service. I can promise on behalf of the Sudan Foundation that any communication from you will be treated with all the fairness that I am sure you, as a Peer of the Realm, would think it your duty to extend to me.

Please accept my very best wishes.

Yours sincerely,

Sean Gabb
Director
The Sudan Foundation

Text B: Letter from Caroline, The Baroness Cox to the Sudan Foundation

26 March 1997

Sean Gabb
Director
The Sudan Foundation
212 Piccadilly
LONDON WCIV 91D

Sir,

I have received copies of your press release and your publication which takes the form of an open letter to me and to Christian Solidarity International.

I have just returned from Sudan where I and my colleagues have obtained substantial further evidence of the kind of slavery which we have already documented and publicised.

A preliminary glance, which is all that time permits for the moment, at your 'Open Letter" and the associated press release, suggests that there is much there which is at best inaccurate and, more seriously, at worst may contain such great tnisrepresentations that we may wish to consider various courses of action.

Alternatively, I may feel my time is better spent helping those who are suffering in the brutal policies inflicted by the Government of Sudan on its own people, which we have witnessed and to which we will be testifying in various arenas in the near future.

Yours faithfully,

Cox

Text C: Letter from the Sudan Foundation to Caroline, The Baroness Cox.

10th April 1997

Caroline, The Baroness Cox
House of Lords

London SW1A 0AA

Dear Baroness Cox,

I have just received your letter to me dated last 26th March, replying to mine to you of the previous 19th.

Your reply is disappointing for two reasons:

First, you have replied, on your own admission, without having read our report, *Sudan, Propaganda and Distortion: Allegations of Slavery and Slavery-Related Practices - An Open Letter to Baroness Cox and Christian Solidarity International*, by David Hoile. We did think that your interest in Sudan extended to finding the time to sit down and read what is easily the most substantial and scholarly response to your own work ever to have appeared. In researching his report, Mr Hoile read every single report on Sudan that you and Christian Solidarity International have published. I also have read them; and they occupy their own section in the Sudan Foundation's library.

Second, despite your not having read our report, you are still able to accuse us of "great misrepresentations" and then to make a statement that a reasonable person can only understand to constitute a threat of legal action. It would be far better for your reputation and the cause of honest argument if you were - either by yourself or by some other person - to reply to our points, and to show the world exactly in what respects we are supposed to have misrepresented you.

I must also say that I expected a more considered response from someone who is a Deputy Speaker of the House of Lords - especially to a letter that was filled with respect for you personally.

We look forward to receiving your full set of objections to our report. In particular, we are most interested in your "substantial further evidence of... slavery" in Sudan. We repeat our promise very favourably to consider any reply you make to us that is intended for publication.

While writing, we also ask you to include us on your mailing list to receive future reports of Christian Solidarity International. We are an independent body, and are eager to hear and consider all points of view on Sudan.

Yours sincerely,

Sean Gabb
Director
The Sudan Foundation

Text D: Letter from Caroline, The Baroness Cox to the Sudan Foundation

18 April 1997

Sean Gabb
Director
The Sudan Foundation
212 Piccadilly
LONDON WCIV 91D
Dear Mr. Gabb,

I have received your letter of 10 April which came while I was away. I am not going to enter into prolonged correspondence with you because I am extremely busy with commitments already undertaken with providing direct assistance to people in need.

Even a preliminary and cursory glance of your report shows that there is much with which I can take issue, but our work is available in the public domain to those who wish to read our reports, our evidence to the US Congressional Hearings and to the UN Human Rights Commission in Geneva. They provide the summaries of the evidence we obtain at first-hand through our visits to the countries where we are working and they stand as our record of concern over violations of human rights.

I enclose a copy of the report of our most recent visit to Sudan for your own information. I note your request to include you on our mailing list. However, you will appreciate that it costs money to send these reports and we limit our regular mailing list to those directly involved in our work.

Yours sincerely,

Cox

UNITED NATIONS **A**

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Agenda item 112 (b)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Letter dated 21 November 1997 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General

I have the honour to inform you that on 13 November 1997, the Parliament of Ukraine (Verkhovna Rada) adopted the Law of Ukraine entitled "On the Authorized Human Rights Representative of the Verkhovna Rada".

This Law is aimed at further developing the relevant provisions of the Constitution of Ukraine, and the establishment of the said post is to exercise a parliamentary control over the observance of the constitutional human rights and freedoms of citizens.

The Authorized Human Rights Representative shall act independently from the governmental bodies and officials and will not substitute for the activities of any branches of power. Such person shall be appointed and dismissed by the Verkhovna Rada of Ukraine. A person nominated to this post should be at least 40 years old, have high moral standards, reside in Ukraine for no less than five years, and have experience in human rights protection.

The Authorized Human Rights Representative shall be appointed for a five-year term, upon the recommendation of the Chairman of the Verkhovna Rada or by no less than one fourth of the deputies. No person appointed to this position will be allowed to exercise any other representation mandate or to take any other posts in the governmental bodies.

The Law also guarantees the prohibition of interference in the activity of the Authorized Human Rights Representative of any government bodies, local self-governing bodies, associations of citizens, enterprises, institutions or organizations, irrespective of the forms of ownership.

The establishment of this post could serve as yet another vivid example of Ukraine's continuous movement on the road of democratic reforms, the incorporation of the principles of democracy into the fabric of the society, and strengthening the legal basis in ensuring human rights.

I should be grateful if you would have this letter circulated as a document of the General Assembly under agenda item 112 (b).

(Signed) Volodymyr YEL'CHENKO
Ambassador
Permanent Representative
of Ukraine to the United Nations